

Daily sitting 23

Thursday, December 14, 2017

10 o'clock a.m.

Prayers.

Pursuant to Standing Rule 10, Hon. Mr. Doucet rose on a matter of privilege regarding a published report concerning the Premier's allegation that the Leader of the Opposition stated he would close hospitals, and the Leader's denial that he made such a statement.

Mr. Speaker rose to address the point of order raised the previous day and taken under advisement and advised the Leader of the Opposition that the term "fabricated" should not be used as it could be interpreted as questioning the honesty of a Member.

Mr. Jody Carr rose on a point of order and submitted that Hon. Mr. Doucet should not have been permitted to rise on a matter of privilege pursuant to Standing Rule 10 as the matter did not refer to him "personally". Mr. Speaker ruled the point well taken.

The following Bill was introduced and read a first time:

By Hon. Mr. Rousselle, Q.C.,
Bill 39, *Climate Change Act*.

Hon. Ms. Rogers gave Notice of Motion 28 that on Tuesday, January 30, 2018, she would move the following resolution, seconded by the Honourable the Premier:

THAT this House approves in general the budgetary policy of the government.

Mr. Guitard gave Notice of Motion 29 that on Wednesday, December 20, 2017, he would move the following resolution, seconded by Mr. Albert:

THAT, notwithstanding the Standing Rules of the Assembly, following the adoption of this motion, there shall be 45 hours allocated for the proceedings at all stages of the passage of Bills 2, 4, 5, 12, 27, 29, 32, 33 and 38, which shall include the hours spent considering said Bills from November 7, 2017, and onward, and at the expiration of the said 45 hours, unless sooner concluded, the Speaker, or the Chair of the Standing Committee on Economic Policy as the case may be, shall interrupt the proceedings and put every question necessary to dispose of the order for second reading of the said Bills; the order for consideration of the said

Bills in committee and report of the Bills to the House; and the order for third reading and passage of the said Bills; and where necessary, the said Bills shall be allowed to advance more than one stage in one day;

THAT, notwithstanding the expiry of the said 45 hours, there shall be, if necessary, 20 minutes allocated at committee stage for the consideration of any of the said Bills, if requested by the Government House Leader.

Hon. Mr. Doucet gave notice that on Friday, December 15, 2017, Bill 39 would be called for second reading.

Hon. Mr. Doucet, Government House Leader, announced that it was the intention of government that Bills 38 and 37 be called for second reading; following which the House would recess until 2.30 p.m., at which time Opposition Members' Business would be considered.

The Order being read for second reading of Bill 38, *An Act to Amend the Members' Conflict of Interest Act*, a debate arose thereon.

And after some time, due to the unavoidable absence of Mr. Speaker, Ms. LeBlanc, the Deputy Speaker, took the chair as Acting Speaker.

And the debate being ended, and the question being put that Bill 38 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 38, *An Act to Amend the Members' Conflict of Interest Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

The Order being read for second reading of Bill 37, *An Act to Amend the Municipal Elections Act*, a debate arose thereon.

And the debate being ended, and the question being put that Bill 37 be now read a second time, it was resolved in the affirmative.

Accordingly, Bill 37, *An Act to Amend the Municipal Elections Act*, was read a second time and ordered referred to the Standing Committee on Economic Policy, as designated by the Government House Leader.

At 11.20 a.m., Madam Deputy Speaker declared a recess and left the chair.

2.30 p.m.

Madam Deputy Speaker resumed the chair.

Debate resumed on the amendment to Motion 20, moved by Hon. Mr. Bourque, seconded by Mr. Albert, as follows:

AMENDMENT

That Motion 20 be amended as follows:

That the resolution clause be amended by deleting the word “release” and replacing it with “continue to develop”.

And the debate being ended, and the question being put, the amendment was adopted.

Madam Deputy Speaker put the question on Motion 20 as amended as follows:

WHEREAS New Brunswick had 11,000 documented cases of dementia in 2011;

WHEREAS that number is expected to rise to 23,000 by 2031;

WHEREAS New Brunswick has the largest number of seniors in relation to New Brunswick’s total population;

WHEREAS the Aging Strategy released in January of 2017 stated that there was a need for a dementia strategy in New Brunswick;

BE IT THEREFORE RESOLVED THAT the Legislative Assembly urge the government to continue to develop the Dementia Strategy to ensure access to quality care and support so that New Brunswickers with dementia can have the best quality of life possible.

And the question being put, Motion 20 as amended was resolved in the affirmative.

Pursuant to Notice of Motion 11, Mr. Coon moved, seconded by Mr. Holder:

WHEREAS Legislative Officers should be accountable to the Legislative Assembly and the people of New Brunswick;

WHEREAS a 2011 Legislative Assembly report recommended that Legislative Officers appear annually before committee to answer questions about their annual reports;

WHEREAS the Standing Rules of the New Brunswick Legislature state that reports to the House of Legislative Officers stand permanently referred to the Standing Committee on Procedure, Privileges and Legislative Officers;

WHEREAS the Standing Committee on Procedure, Privileges and Legislative Officers provides a forum through which the Legislative Officers are accountable to the Legislative Assembly;

WHEREAS in 2017 only one Legislative Officer has reported to the Committee;

BE IT THEREFORE RESOLVED THAT Legislative Officers, except for the Auditor General who already appears before the Standing Committee on Public Accounts, be required by the Legislative Assembly to appear annually before the Standing Committee on Procedure, Privileges and Legislative Officers to answer questions on their annual reports and any other reports filed with the Legislature.

And the question being put, a debate ensued.

And after some time, Mr. Albert, seconded by Mr. Roussel, moved in amendment:

AMENDMENT

That Motion 11 be amended as follows:

By deleting the resolution clause and substituting the following:

BE IT THEREFORE RESOLVED THAT with the exception of the Auditor General who already appears before the Standing Committee on Public Accounts, the Standing Committee on Procedure, Privileges and Legislative Officers endeavor to call each of the Legislative Officers to appear before the Committee on an annual basis to answer questions on their annual reports and any other reports filed with the Legislature.

Madam Deputy Speaker put the question on the proposed amendment and a debate ensued.

And the debate being ended, and the question being put, the amendment was adopted.

Madam Deputy Speaker put the question on Motion 11 as amended as follows:

WHEREAS Legislative Officers should be accountable to the Legislative Assembly and the people of New Brunswick;

WHEREAS a 2011 Legislative Assembly report recommended that Legislative Officers appear annually before committee to answer questions about their annual reports;

WHEREAS the Standing Rules of the New Brunswick Legislature state that reports to the House of Legislative Officers stand permanently referred to the Standing Committee on Procedure, Privileges and Legislative Officers;

WHEREAS the Standing Committee on Procedure, Privileges and Legislative Officers provides a forum through which the Legislative Officers are accountable to the Legislative Assembly;

WHEREAS in 2017 only one Legislative Officer has reported to the Committee;

BE IT THEREFORE RESOLVED THAT with the exception of the Auditor General who already appears before the Standing Committee on Public Accounts, the Standing Committee on Procedure, Privileges and Legislative Officers endeavor to call each of the Legislative Officers to appear before the Committee on an annual basis to answer questions on their annual reports and any other reports filed with the Legislature.

And the question being put, Motion 11 as amended was resolved in the affirmative.

And after some time, Mr. Speaker resumed the chair.

Pursuant to Notice of Motion 25, Mr. Higgs moved, seconded by Mr. Holder:

WHEREAS in November 2017, the Auditor General presented the Report of the Auditor General of New Brunswick, Volume III, 2017, containing chapter 2 entitled "Service New Brunswick Residential Property Assessment – Special Examination" to a joint meeting of the Standing Committee on Public Accounts and the Standing Committee on Crown Corporations;

WHEREAS the report concluded that multiple failures caused the 2017 property assessment errors, including poor communication, inadequate tools, lack of collaboration, and that corporate governance and leadership failed to acknowledge the high risk nature of “fast-tracking” key components of the Modernization Program within Service New Brunswick;

WHEREAS the report further concluded the communications that led to “fast-tracking” key components of the Modernization Program involved the following persons:

The Premier’s Chief of Staff, Jordan O’Brien;
Service New Brunswick’s former Chief Executive Officer,
Gordon Gillman;
Service New Brunswick’s Vice President, Alan Roy;
Service New Brunswick’s Executive Director, Charles Boulay; and
Service New Brunswick’s Director of Modernization, René Landry;

WHEREAS section 4 of the *Legislative Assembly Act* states “A committee of the Legislative Assembly appointed for the purpose of making an investigation or inquiry in relation to any public office or public work, whether wholly or partly under provincial control or in which the Province is interested as proprietor or stockholder or to which provincial aid is or may have been given during the conduct of the work in respect of which the aid is given and authorized under this Act, shall have full power to send for persons, papers and records, and to examine witnesses on oath”;

BE IT THEREFORE RESOLVED THAT the Standing Committee on Crown Corporations be directed to meet within two weeks after the adoption of this motion to consider chapter 2 of the report entitled “Service New Brunswick Residential Property Assessment – Special Examination” and to invite the above named individuals to appear before it;

BE IT FURTHER RESOLVED THAT if any of the individuals decline the invitation to appear, the committee be directed to report back to the Legislative Assembly to request that the committee be specially delegated the power to send for persons, papers and records, and to examine witnesses on oath as provided for in section 4 of the *Legislative Assembly Act*.

And the question being put, a debate ensued.

And the debate being ended, and the question being put, Motion 25 was resolved in the negative.

Pursuant to Notice of Motion 21, Mr. Jeff Carr moved, on behalf of Mr. MacDonald, seconded by Ms. Shephard:

WHEREAS the Local Service Districts of Douglas and Estey's Bridge have been struggling with the development and proposed development of rock quarries within their respective areas;

WHEREAS the development of gravel pits and quarries has been a long-standing issue of contention with residents within all municipalities of New Brunswick, including cities;

WHEREAS the issues of quarry proximity to residential areas and the current excavation protocols for the quarry planning approval are deemed insufficient by many communities in New Brunswick;

WHEREAS many regional service commissions, at present, do not have the regulations to evaluate gravel pits and rock quarries differently in terms of impact and optimal distance from residential areas, given the site-specific characteristics of proposed resource extraction sizes;

WHEREAS the environmental footprints of a gravel pit and rock quarry differ greatly, given that gravel pits require only mechanical intervention for extraction of resources and quarries require the use of both machinery and blasting;

BE IT THEREFORE RESOLVED THAT this Assembly urge the Department of Environment and Local Government to revisit its regulations and legislation pertaining to rock quarries with the intent to recognize the different environmental footprint that exists between gravel pit and rock quarry developments, and develop an assessment tool that better addresses the various factors that are impacted, namely: waterways, run-off, noise, air quality, sight distance from provincial roads, and continued quality-of-life for existing area residents;

BE IT FURTHER RESOLVED THAT this Assembly urge the government to review its allowable quarry proximity to existing residential area regulation with the intent of increasing the catchment area with which the Department of Environment and Local Government, regional service commissions and quarry developers are required to consult and that the minimum proximity to quarry regulation and/or legislation has its minimum distances expanded.

And the question being put, a debate ensued.

And after some time, Mr. Speaker interrupted proceedings and announced that the hour of daily adjournment had arrived.

And then, 6.10 p.m., the House adjourned.